

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of: **Garvey et al**

Application No. **Not Yet Assigned**

Filed: **January 15, 2004**

For: **Nitrosated and Nitrosylated Potassium Channel Activators,  
Compositions and Methods of Use**

Attorney Docket No: **102258.286 US3**

Commissioner of Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449 Forms.

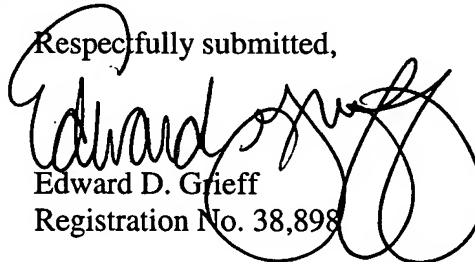
The submission of this Information Disclosure Statement does not represent that a search has been made and does not constitute an admission that the listed documents are material to patentability or that the listed documents are prior art.

Pursuant to 37 CFR § 1.98(d), Applicants are not submitting a copy of the references cited on the PTO-1449 Form because the cited references were previously submitted to or cited by the PTO in the parent and/or grandparent application, to which the present application claims priority.

This Information Disclosure Statement is being filed with the application. Accordingly, no fee is due.

Applicants respectfully request that the Examiner initial and return a copy of the enclosed PTO-1449 Form with the next communication from the Patent Office.

Respectfully submitted,



Edward D. Grief  
Registration No. 38,898

Date: January 15, 2004  
HALE and DORR LLP  
1455 Pennsylvania Avenue, NW  
Washington, DC 20004  
Phone: (202) 942-8400

<b>FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE</b> (Modified) <b>PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b>  (Use several sheets if necessary) (37 CFR 1.98(b))										<b>ATTY DOCKET NO.</b> 102258.286			<b>SERIAL NO.</b>		
<b>APPLICANT</b> Garvey et al										<b>FILING DATE</b> May 12, 2000			<b>GROUP</b>		
<b>U.S. PATENT DOCUMENTS</b>															
EXAMINER INITIALS		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE		
		4	0	5	7	6	3	6	11/8/77	Petersen					
		4	2	0	0	6	4	0	04/29/80	Nagano et al					
		4	6	0	0	5	7	7	07/15/86	Didriksen					
		4	6	1	7	3	1	1	10/14/86	Ho					
		4	7	2	0	3	8	7	01/19/88	Sakamoto et al					
		4	7	6	9	3	8	1	09/06/88	Ishihara et al					
		4	7	8	9	6	7	9	12/06/88	Hamilton et al					
		4	7	9	2	5	6	4	12/20/88	Harder et al					
		4	8	0	3	2	1	3	02/07/89	Iida et al					
		4	8	2	2	8	0	8	04/18/89	Iida et al					
		4	8	3	2	9	5	4	05/23/89	Sato et al					
<b>FOREIGN PATENT OR PUBLISHED PATENT APPLICATION</b>															
		DOCUMENT NUMBER							PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION		
													YES	NO	
		9	9	0	7	3	7	0	02/18/99	WIPO					
		9	9	1	1	2	3	8	03/11/99	WIPO					
<b>EXAMINER</b>										<b>DATE CONSIDERED</b>					

**EXAMINER:** Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE</b> <b>(Modified) PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b>  (Use several sheets if necessary) (37 CRF 1.98(b))										<b>ATTY DOCKET NO.</b> 102258.286		<b>SERIAL NO.</b>	
<b>APPLICANT</b> Garvey et al										<b>FILING DATE</b> May 12, 2000		<b>GROUP</b>	
<b>U.S. PATENT DOCUMENTS</b>													
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		4	8	7	0	0	9	0	09/26/89	Noda et al			
		5	0	3	2	5	9	1	07/16/91	Evans et al			
		5	1	6	6	3	4	7	11/24/92	Izawa et al			
		5	2	1	1	9	4	3	05/18/93	Azuma et al			
		5	2	2	3	5	0	8	06/29/93	Izawa et al			
		5	2	5	6	6	8	8	10/26/93	Grover et al			
		5	2	6	2	4	1	9	11/16/93	Aberg et al			
		5	3	5	4	7	6	4	10/11/94	Grover et al			
		5	4	8	8	0	5	9	01/30/96	Buhl			
		5	5	8	0	5	7	6	12/03/96	Veronesi et al			
<b>OTHER DOCUMENTS (Including Author, Title, Date, Relevant pages, Place of Publication)</b>													
<b>EXAMINER</b>										<b>DATE CONSIDERED</b>			

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<b>EXAMINER INITIALS</b>							
<b>OTHER DOCUMENTS (Including Author, Title, Date, Relevant pages, Place of Publication)</b>							
		Holmquist et al, Acta. Physiol Scand., 138:463-469 (1990).					
		Holmquist et al, The Journal of Urology, 144:146-151 (1990).					
		Edwards et al, TiPS, 11:417-422 (1990).					
		Christ et al, Journal of Andrology, 14(5):319-328 (1993).					
		Hedlund et al, The Journal of Urology, 151:1107-1113 (1994).					
		Fan et al, The Journal of Urology, 153:818-825 (1995).					
		Seftel et al, Biochem and Biophys. Res. Comm., 219:382-387 (1996).					
		Atwal et al, J. Med. Chem., 41:271-275 (1998).					
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			

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Application Number	09/570,727
Filing Date	May 12, 2000
First Named Inventor	Garvey, David S.
Group Art Unit	
Examiner Name	
Attorney Docket Number	102258.286

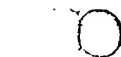
U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
		5,140,031		Atwal et al.	08-18-1992	
		5,206,252		Butera et al.	04-27-1993	
		5,232,938		Stemp et al.	08-03-1993	
		5,393,771		Atwal	02-28-1995	
		5,401,758		Atwal et al.	03-28-1995	
		5,411,973		Russell et al.	05-02-1995	
		5,416,097		Erhardt et al.	05-16-1995	
		5,482,969		Empfield et al.	01-09-1996	
		5,504,089		Russell	04-02-1996	
		5,510,386		Empfield et al.	04-23-1996	
		5,677,324		Mackenzie et al.	10-14-1997	
		5,679,706		D'Alonzo et al.	10-21-1997	
		5,693,639		Empfield et al.	12-02-1997	
		5,837,702		Rovnyak et al.	11-17-1998	
		5,900,432		Empfield et al.	05-04-1999	
		5,972,961		Hewawasam et al.	10-26-1999	
		5,563,160		Bramm et al.	10-08-1996	

[illegible]Date  
Considered

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>		<b>Complete If Known</b>	
		Application Number	09/570,727
		Filing Date	May 12, 2000
		First Named Inventor	Garvey, David S.
		Group Art Unit	
		Examiner Name	
Sheet	52	of	10
		Attorney Docket Number	102258.286

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Gupta et al., British Journal of Pharmacology, vol. 116, pages 2201-2206, (1995).	
		Thirstrup et al., European Journal of Pharmacology, vol. 326, pages 191-200; (1997).	
		Gopalakrishnan et al., Journal of Pharmacology and Experimental Therapeutics, vol. 289, No. 1, pages 551-558; (1999).	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>			<b>Complete if Known</b>		
			Application Number	09/570,727	
			Filing Date	May 12, 2000	
			First Named Inventor	Garvey et al.	
			Group Art Unit	Unknown	
			Examiner Name	Unknown	
Sheet	61	of	210	Attorney Docket Number	102258.286

[illegible][illegible]

Examiner Signature		Date Considered	
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		Applicant Number	09/570,727		
		Filing Date	May 12, 2000		
		First Named Inventor	Garvey et al.		
		Group Art Unit	Unknown		
		Examiner Name	Unknown		
Sheet	72	of	10	Attorney Docket Number	102258.286

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Chemical Abstracts, 101:83562 (1984).	
		Chemical Abstracts, 128:175873 (1997).	
		PCT International Search Report for PCT/US00/12957 (August 8, 2000).	

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			First Named Inventor	Garvey	
			Group Art Unit		
			Examiner Name		
Sheet	92	of	210	Attorney Docket Number	102258.286

[illegible]

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